

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF NORTH CAROLINA

JOE MANIS,  
Plaintiff,  
v.

U.S. DEPARTMENT OF AGRICULTURE;  
THOMAS JAMES VILSACK, in his  
official capacity as the  
Secretary of Agriculture;  
MICHAEL WATSON, in his official  
capacity as Administrator of  
the Animal and Plant Health  
Inspection Service,

Defendants.

Case No. 1:24-cv-00175

**PLAINTIFF'S SUGGESTION OF  
SUBSEQUENTLY DECIDED AUTHORITY**

Plaintiff Joe Manis hereby provides, pursuant to Local Rule 7.3(i), as an addendum to Plaintiff's Combined Response In Opposition To Defendants' Motion To Dismiss Or, In The Alternative, Summary Judgment and Cross-Motion For Summary Judgment (Doc. 32) and Reply in Support of Plaintiff's Cross-Motion for Summary Judgment (Doc. 37), and as a suggestion of subsequent pertinent and significant authority, the following citation to a published decision by the United States Court of Appeals for the Third Circuit: ***Sun Valley Orchards, LLC v.***

*U.S. Dep't of Lab., --- F.4th ---, 2025 WL 2112927 (3d Cir.*

**July 29, 2025).**

DATED: August 1, 2025.

Respectfully submitted,

/s/ Thomas B. Kakassy  
THOMAS B. KAKASSY  
North Carolina Bar No. 9297  
P.O. Box 2436  
Gastonia, NC 28053  
Telephone: (704) 867-1795  
Fax: (704) 867-1820  
Tom@kakassylaw.com

/s/ Joshua M. Robbins  
JOSHUA M. ROBBINS\*  
Virginia Bar No. 91020  
ALLISON D. DANIEL\*  
Ohio Bar No. 96186  
PACIFIC LEGAL FOUNDATION  
3100 Clarendon Blvd.  
Suite 1000  
Arlington, VA 22201  
Telephone: (202) 888-6881  
JRobbins@pacificlegal.org  
ADaniel@pacificlegal.org  
Attorneys for Plaintiff

\* *Appearing by special  
appearance pursuant to  
L.R. 83.1*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2025, I submitted the foregoing to the Clerk of the Court via the District Court's CM/ECF system, which will send notice of this submission to all counsel of record.

/s/ *Joshua M. Robbins*  
JOSHUA M. ROBBINS\*